

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.9(f) & 1.27(c)) - SMALL BUSINESS CONCERN

PATENT
DOCKET NO: 409475-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: BRIAN MARK SHUSTER and GARY STEPHEN SHUSTER

Serial No.: 09/648,474

Filed: August 21, 2000

Title: METHOD, APPARATUS AND SYSTEM FOR HOSTING INFORMATION EXCHANGE GROUPS ON A WIDE AREA NETWORK

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern: IDEAFLOOD, INC.

Address of Small Business Concern: 312 Dorla Ct. #100, P.O. Box 11289, Zephyr Cove, NV 89448

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18 and reproduced in 37 CFR 1.9(d) for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year; and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to, and remain with, the small business concern identified above with regard to the invention described in:

___ the specification filed herewith with title as listed above.

X the application identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR (1.9(d), or a non-profit organization under 37 CFR(1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

X No such person, concern or organization exists.

___ Each such person, concern or organization is listed below.

Full Name:

Address:

___ Individual

___ Small Business Concern

___ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon or any patent to which this verified statement is directed.

Dated: April 17, 2001

By: 

Name: Gary S. Shuster

Title: General Counsel

Address: 312 Dorla Ct. #100, P.O. Box 11289, Zephyr Cove, NV 89448



#4

409475-5

DECLARATION AND PETITION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD, APPARATUS AND SYSTEM FOR HOSTING INFORMATION EXCHANGE GROUPS ON A WIDE AREA NETWORK, the specification of which was filed with the U.S. Patent and Trademark Office on August 21, 2000, bearing Serial No. 09/648,474.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

PRIOR FOREIGN APPLICATION(S)

Priority claimed

Number	Country	Date Filed	Yes	No
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Priority claimed

Number	Country	Date Filed	Yes	No
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We hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/129,485	April 15, 1999
Application Serial No.	Filing Date

Application Serial No.	Filing Date
------------------------	-------------

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/548,804

Application Serial No.

April 14, 2000

Filing Date

Application Serial No.

Filing Date

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Correspondence should be addressed to:

Brian M. Berliner
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, California 90071-2899
Telephone (213) 430-6000

Wherefore we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, and we hereby subscribe our names to the foregoing specification and claims, declaration and petition.

Full name of first inventor: BRIAN MARK SHUSTER

Inventor's signature: 

Date: 11/27/00

Residence: 120 Desni Court, Stateline, Nevada 89449

Citizenship: U.S.A.

Post Office Address: P.O. Box 2153, Stateline, Nevada 89449

Full name of second inventor: GARY STEPHEN SHUSTER

Inventor's signature: _____

Date: _____

Residence: 2067 Manzanita Drive, Oakland, California 94611

Citizenship: U.S.A.

Post Office Address: Same as above



409475-5

DECLARATION AND PETITION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe that we are an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD, APPARATUS AND SYSTEM FOR HOSTING INFORMATION EXCHANGE GROUPS ON A WIDE AREA NETWORK, the specification of which was filed with the U.S. Patent and Trademark Office on August 21, 2000, bearing Serial No. 09/648,474.

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PRIOR FOREIGN APPLICATION(S)

Priority claimed

Number	Country	Date Filed	Yes	No
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09/548,804	April 14, 2000
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Correspondence should be addressed to:

Brian M. Berliner
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, California 90071-2899
Telephone (213) 430-6000

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Full name of first inventor: BRIAN MARK SHUSTER

Inventor's signature: _____

Date: _____

Residence: 120 Desni Court, Stateline, Nevada 89449
Citizenship: U.S.A.
Post Office Address: P.O. Box 2153, Stateline, Nevada 89449

Full name of second inventor: GARY STEPHEN SHUSTER

Inventor's signature: _____

Date: April 16, 2001

Residence: 2067 Manzanita Drive, Oakland, California 94611

Citizenship: U.S.A.

Post Office Address: Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: BRIAN MARK SHUSTER and GARY STEPHEN SHUSTER

Serial No.: 09/648,474

Filing Date: August 21, 2000

Title: Method, Apparatus And System For Hosting Information Exchange Groups On A Wide Area Network

Assistant Commissioner for Patents
Washington, DC 20231

POWER OF ATTORNEY

IDEAFLOOD, INC., a corporation of the State of Nevada and assignee of the entire right, title and interest in the above-identified patent application, hereby appoints:

Brian M. Berliner, Reg. No. 34,549
Dennis R. Gallagher, Reg. No. 42,563
Jonathan A. Jaech, Reg. No. 41,091; and
Jimmy M. Shin, Reg. No. 45,103

whose address is:

O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071-2899
Telephone: (213) 430-6000
Attn: Brian M. Berliner

their attorneys to prosecute said application and to transact in connection therewith all business in the U.S. Patent and Trademark Office in connection therewith and before competent International Authorities.

IN ACCORDANCE WITH 37 C.F.R. § 3.73, THE ASSIGNEE HEREBY CERTIFIES THAT THE EVIDENCIARY DOCUMENTS WITH RESPECT TO ITS OWNERSHIP HAVE BEEN REVIEWED AND THAT, TO THE BEST OF THE ASSIGNEE'S KNOWLEDGE AND BELIEF, TITLE IS IN THE ASSIGNEE SEEKING TO TAKE THIS ACTION.

IDEAFLOOD, INC

Dated: April 17, 2001

By 

Name: Gary S. Shuster

Title: General Counsel